COUNCIL REFUSES TO PROBE SAPIR

Legal Opinion on Hearing Faulty--Kohn

Metropolitan Crime Commission Managing Director Aaron M. Kohn said today he has "no confidence" in a legal decision given the City Council yesterday that the council used in refusing to hold public hearings into alleged racketeer affiliations of one of its members.

"There is reason to believe," Kohn said, "that the decision given by City Attorney Alvin Liska is by no means complete. There is considerable precedent in past hearings of the City Council for such, and I firmly believe that they have the authority above and beyond the city code of ethics.

The City Council wrote Kohn and the Crime Commission yesterday it could not hold public hearings into Kohn's charges that City Councilman Eddie L. Sapir is in "close and continuous" contact with rackets figure Carlos Marcello unless specific charges were leveled against Sapir.

The council held that no hearing could be conducted unless "an affidavit was filed with any member of the City Council, containing information alleging a specific violation of the law."

Kohn and the MCC maintain they are not accusing Sapir of any crime, but are only questioning whether a public official should be in "continuous contact" with persons identified as known criminals, specifically, Kohn points out, at a time when the City Council is considering an ordinance to legalize charity bingo, a move the MCC believes would favor organized crime interests in the area.

KOHN TOLD A council hearing on the matter yesterday he could produce witnesses in a council hearing into the matter to back up his statements that Sapir is in frequent contact with Marcello and his lieutenants.

Sapir, meanwhile, has gotten assurances from Dist. Atty. Jim Garrison that the DA would have the entire matter aired before the closed - door parish grand jury.

"I believe that they do have the authority above and beyond the code of ethics," Kohn said, "to conduct a hearing on any matter which they believe has affected or would affect the enactment of laws by the council."

Kohn said the matter is being researched further by crime commission legal counsel and would be taken up again with the council pending results of the legal query.